

California Energy Commission

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October 23, 2012

VIA E-MAIL CREMY-OBAD@ENERGY.CA.GOV

Camille Remy Obad
Project Manager
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

Re: Avenal Power Center, LLC's Petition for Post Certification Amendment of March 5,
2012 (Docket No. 2008-AFC-1C)

Dear Ms. Remy-Obad:

On behalf of Avenal Power Center, LLC and pursuant to our discussion with California Energy Commission Staff on October 8th, we request Staff proceed with the request for modifications to allow the Avenal Energy Project to proceed as a minor source and make other changes to the air quality conditions. We further request Staff defer action on the request for extension of the construction deadline until 2013. We understand Staff has a large workload and would prefer Avenal Power Center hold off on filing additional information to support the request for an extension until 2013. In the meantime Avenal Power Center will create an evaluation of any changes in actual conditions surrounding the facility, changes at the site itself and changes in law that may need to be addressed. Based upon our discussions we will not be conducting new field surveys or new modeling analyses. We look forward to working with you on the time extension in 2013.

Very truly yours,

DOWNEY BRAND LLP


Jane E. Luckhardt

JEL

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cc: Jim Rexroad (via e-mail)